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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,500	01/27/2004	David A. Matthews	MFCP.110232	6265

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EXAMINER
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OSBERG, THUY THANH

ART UNIT	PAPER NUMBER
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2179

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/764,500	MATTHEWS ET AL.	
	Examiner	Art Unit	
	Thuy Osberg	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This communication is responsive to the original application filed 01/27/2004.

This action is **Non-Final**. Claims 1-33 are pending and have been examined.

### *Drawings*

2. Figure 11 should be changed from "RELATED ART" to "Prior Art" because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 101*

3. **35 U.S.C. 101 reads as follows:**

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 1-30 and 32 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

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**As to claims 1, 24, 30 and 32**, a "method" is being recited; however, as disclosed by the specification, a method is taught to be abstract idea, which lacks a useful, concrete, and tangible result when used in the computer system.

**As such, claims 2-12, 25-29 and 33** are rejected as incorporating the deficiencies of a claim upon which it depends.

**As to claims 13**, a "system" is being recited; however, as disclosed by the specification sections are taught to be software, per se.

**As such, claims 14 and 23** are rejected as incorporating the deficiencies of a claim upon which it depends.

*Claim Rejections - 35 USC § 102*

**5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

**6. Claims 1-9, 12-20 and 23-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Santoro et al. (US Patent 6,724,403), hereinafter "Santoro".**

*The Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the Applicant. Although the specified citations are representation of the teachings in the art and are applied to the specific limitations within the individual claim, other*

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*passages and figures may apply as well. The Applicant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the Applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the Examiner.*

**As claim 1**, Santoro teaches a method for controlling tiles within a sidebar to respond to a manipulation request by a system user or by an application to manipulate a selected tile (Abstract; col. 3, lines 35-41; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51), the method comprising:

determining a current status of the selected tile (col. 8, lines 42-45);

selecting an appropriate rule set based on the identity of the manipulation requestor (fig. 24; col. 22, lines 1-22), wherein the appropriate rule set is one of an application manipulation rule set (col. 15, lines 1-4, that the application and framework are responsible for managing the grids and tiles; col. 15, lines 42-51) and a user manipulation rule set (col. 7, lines 40-51);

and locating an appropriate rule within the appropriate rule set based on the current status of the selected tile and content of the request (fig. 12, labels 1204, 1206, 1208, 1210; col. 12, lines 66-67; col. 13, lines 1-6; col. 11, lines 39-41; fig. 4, labels 408, 410; col. 9, lines 11-16).

**As claim 2**, Santoro further teaches manipulating the selected tile in accordance the appropriate rule (fig. 4, labels 408, 410; col. 3, lines 35-41; col. 9, lines 11-16).

**As claim 3**, Santoro further teaches receiving a request from the system user to add the selected tile to the sidebar and manipulating the tile to add the tile to a top of the sidebar (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the

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"drag and drop" adds the tiles on to the Gird Wizard).

**As claim 4**, Santoro further teaches receiving a request from the application to add the selected tile to the sidebar and manipulating the tile to add the tile to a bottom portion of the sidebar (fig. 8; col. 11, lines 63-67; col. 12, line 1-13).

**As claim 5**, Santoro further teaches providing a user notification to instruct the system user regarding removal of the selected tile (col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" removes the tiles out of the Gird Wizard; col. 17, lines 4-14).

**As claim 6**, Santoro further teaches receiving an application request to show the selected tile, determining the status as hidden, and manipulating the selected tile to reveal the selected tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the message "New Mail" is hidden, and when the application receives a new mail the selected tiles reveals "New Mail").

**As claim 7**, Santoro further teaches receiving an application request to hide the selected tile, determining the status as visible, and manipulating the selected tile to hide the selected tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the message "New Mail" is visible, and when the application receives input the mail item has been read, it returns to the default setting).

**As claim 8**, Santoro further teaches receiving a user request to remove the selected tile and manipulating the tile by banning the tile from the sidebar (col. 3, lines

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35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" removes the tiles out of the Gird Wizard and essentially banning it from being displayed; col. 17, lines 4-14).

**As claim 9**, Santoro further teaches receiving an application request to show the selected tile, determining the current status as banned, and refusing to show the tile based on the appropriate rule sidebar (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" removes the tiles out of the Gird Wizard and essentially banning it from being displayed; col. 17, lines 4-14).

**As claim 12**, Santoro further teaches providing a blank space to indicate one of a newly installed and a banned tile (fig. 25, labels 2512, 2522, 2524, 2526; col. 22, lines 21-41 and 51-63, that the tile is blank when the grid is rendered prior to requesting the data stream).

**As claim 13**, Santoro teaches a system for controlling tiles within a sidebar when a manipulation request is made by a system user or by an application to manipulate a selected tile (Abstract; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51; col. 23, lines 61-67), the system comprising:

- a status determination module for indicating a current status of the selected tile (col. 8, lines 42-45; col. 22, lines 57-67);
- user manipulation rules for determining appropriate disposition of the selected tile based on the current status of the selected tile (fig. 24; col. 3, lines 35-41; col. 22, lines 1-22) when the manipulation request originates from the system user (col. 3, lines 35-41; col.

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15, lines 1-4, that the application and framework are responsible for managing the grids and tiles (col. 15, lines 42-51); application manipulation rules for determining disposition of the selected tile based on the current status of the selected tile when the manipulation request originates from the application (fig. 5, label 510; fig. 12, labels 1204, 1206, 1208, 1210; col. 3, lines 35-41; col. 10, lines 4-6; col. 12, lines 66-67; col. 13, lines 1-6; col. 11, lines 39-41; fig. 4, labels 408, 410; col. 9, lines 11-16); and manipulation tools (fig. 14; col. 7, lines 11-15; col. 13, lines 54-61) for manipulating the selected tile in accordance with one of the user manipulation rules and the application manipulation rules (fig. 4, labels 408, 410; col. 3, lines 35-41; col. 9, lines 11-16).

**As claim 14**, Santoro further teaches the user manipulation rules provide for adding the selected tile to a top portion of the sidebar upon receiving a user request (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" adds the tiles on to the Grid Wizard).

**As claim 15**, Santoro further teaches the application manipulation rules provide for adding the selected tile to a bottom portion of the sidebar upon receiving an application request (fig. 8; col. 11, lines 63-67; col. 12, line 1-13).

**As claim 16**, Santoro further teaches the application manipulation rules further require providing a user notification to instruct the user regarding removal of the selected tile (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop"

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the tiles removes the tiles out of the Gird Wizard; col. 17, lines 4-14).

**As claim 17,** Santoro further teaches the application manipulation rules provide for showing the selected tile upon receiving an application request after determining the current tile status as hidden (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the message "New Mail" is hidden, and when the application receives a new mail the selected tiles reveals "New Mail").

**As claim 18,** Santoro further teaches the application manipulation rules provide for hiding the selected tile upon receiving an application request and determining the current tile status as visible (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the message "New Mail" is visible, and when the application receives input the mail item has been read, it returns to the default setting).

**As claim 19,** Santoro further teaches the user manipulation rules provide for banning the selected tile from the sidebar upon receiving a user request (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the tiles removes the tiles out of the Gird Wizard and essentially banning it from being displayed; col. 17, lines 4-14).

**As claim 20,** Santoro further teaches the application manipulation rules, upon determining the current tile status as banned, require refusal to show the selected tile upon receiving an application request (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the tiles removes the tiles out of the Gird Wizard and

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essentially banning it from being displayed; col. 17, lines 4-14).

**As claim 23**, Santoro further teaches the user interface option menu includes a blank status indicator to indicate one of a newly installed and a banned tile tile (fig. 25, labels 2512, 2522, 2524, 2526; col. 3, lines 35-41; col. 22, lines 51-63, that the tile is blank when the grid is rendered prior to requesting the data stream).

**As claim 24**, Santoro teaches a method for controlling a selected tile within a sidebar upon receiving an application request for manipulation of the selected tile (Abstract; col. 3, lines 25-41; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51), the method comprising:

determining a current status of the selected tile (col. 8, lines 42-45);

selecting an appropriate tile manipulation rule for the application based on the current status of the tile (fig. 24; col. 22, lines 1-22; fig. 12, labels 1204, 1206, 1208, 1210; col. 3, lines 35-41; col. 12, lines 66-67; col. 13, lines 1-6; col. 11, lines 39-41; fig. 4, labels 408, 410; col. 9, lines 11-16);

and manipulating the tile in accordance with the selected tile manipulation rule (col. 7, lines 40-51; col. 15, lines 1-4, that the application and framework are responsible for managing the grids and tiles; col. 15, lines 42-51).

**As claim 25**, Santoro further teaches determining the current status as banned and selecting the appropriate tile manipulation rule that refuses entry of the selected tile in the sidebar (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the tiles removes the tiles out of the Grid Wizard and essentially banning it from being displayed; col. 17, lines 4-14).

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**As claim 26,** Santoro further teaches determining the current status as hidden and selecting the appropriate tile manipulation rule that allows the application to reveal the hidden tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the message "New Mail" is hidden, and when the application receives a new mail the selected tiles reveals "New Mail").

**As claim 27,** Santoro further teaches determining the current status as newly installed and selecting the appropriate tile manipulation rule that allows entry of the selected tile at a bottom portion of the sidebar (fig. 8; col. 3, lines 35-41; col. 11, lines 63-67; col. 12, line 1-13).

**As claim 28,** Santoro further teaches providing a user notification allowing the user to remove the selected tile (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the tiles removes the tiles out of the Gird Wizard; col. 17, lines 4-14).

**As claim 29,** Santoro further teaches determining the current status as visible and selecting the appropriate tile manipulation rule that allows the application to render the tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the message "New Mail" is visible, and when the application receives input the mail item has been read, it returns to the default setting).

**As claim 30,** Santoro teaches a method for controlling a selected tile within a sidebar (Abstract; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51) based on user

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preferences (fig. 24, label 2406; col. 22, lines 1-21; fig. 26, labels 2600, 2604; col. 23, lines 1-12), the method comprising:

removing the selected tile from the sidebar upon receiving a user request tile (col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" removes the tiles out of the Gird Wizard; col. 17, lines 4-14);

refusing any subsequent request from an application to insert the selected tile into the sidebar (col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" removes the tiles out of the Gird Wizard and essentially banning it from being displayed; col. 17, lines 4-14);

and granting any subsequent request from the user to insert the selected tile into the sidebar (col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" adds the tiles on to the Gird Wizard, which in turn will display content referenced by the URL).

**As claim 31**, Santoro teaches a computer-readable medium storing computer executable instructions for performing the method of claim 30 (col. 4, lines 55-67; col. 5, lines 1-16; fig. 2, label 112; col. 6, lines 60-67).

**As claim 32**, Santoro teaches a method for providing a user with control of the positioning of a selected tile within a sidebar based on user manipulation rules and application manipulation rules (Abstract; col. 3, lines 35-41; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51), the method comprising:

inserting the selected tile in a preferred sidebar position in response to a user request to insert the selected tile (fig. 9; col. 12, lines 13-19; col. 13, lines 1-6; fig. 14; col. 14, lines

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4-15, that by using the "drag and drop" adds the tiles anywhere the user selects on to the Gird Wizard);

inserting the selected tile in less preferred sidebar position in response to an application request to insert the selected tile (col. 3, lines 35-41, that by setting the parameters allowing the user to control the aspects of the screen display);

and allowing a user to preemptively prevent an application from inserting the selected tile in the sidebar (col. 3, lines 35-41, that by setting the parameters allowing the user to control the aspects of the screen display).

As claim 33, Santoro further teaches computer-readable medium storing computer executable instructions for the method of claim 32 (col. 4, lines 55-67; col. 5, lines 1-13; fig. 2, label 112; col. 6, lines 60-67).

### ***Claim Rejections - 35 USC § 103***

**7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**8. Claims 10-11 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santoro in view of Oran et al. (US Patent 5,920,316), hereinafter "Oran".**

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**As claims 10 and 21**, Santoro does not teach providing a user interface option menu for revealing the current tile status to the system user.

However, Oran teaches providing a user interface option menu for revealing the current tile status to the system user (fig. 14, label 74; col. 8, lines 49-67; col. 9, lines 1-11; col. 11, lines 56-67). Therefore, it would have been obvious to one ordinary skill in the art the time the invention to modify Santoro by providing a user interface option menu for revealing the current tile status to the system user as taught by Oran in order to enhanced monitoring of the system or content available from multiple sources.

**As claims 11 and 22**, Santoro does not teach providing a check mark to indicate a visible tile.

However, Oran teaches providing a check mark to indicate a visible tile (fig. 15B, label 90; col. 9, lines 1-30). Therefore, it would have been obvious to one ordinary skill in the art the time the invention to modify Santoro by teach providing a check mark to indicate a visible tile as taught by Oran in order to easy to use interface for display selection by using check/uncheck boxes.

### ***Conclusion***

9. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider these references fully when responding to this action.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Osberg whose telephone number is 571-270-1258. The examiner can normally be reached on Monday-Friday (8:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TTO



BAHUYNH  
PRIMARY EXAMINER